

REMARKS

Allowable Subject Matter

Applicants thank the Examiner for her recognition of allowable subject matter in claim 12. Applicants submit that all of claims 1-34 are now in condition for allowance.

Amendment to the Specification

The fourth paragraph on page 7 of the specification is being amended to replace “absorbent” with “adsorbent”. This amendment introduces no new matter, and is being made to correct an apparent typographical error.

Amendments to Claims

Claims 1 and 22 are being amended to recite that the claimed process is carried out at a temperature from about 25 °C to about 100 °C. This amendment incorporates into claim 1 subject matter from claim 12. The amendment to claim 22 is also supported in the specification as filed, *inter alia*, on page 7, lines 18-25.

Rejections Under 35 U.S.C. §102

Claims 1-7, 15-28, 30 and 32 were rejected under 35 U.S.C. § 102 (b) as being anticipated by Sunkara et al., U.S. 2002/0010374 A1 (“Sunkara”). This rejection is respectfully traversed.

The Examiner asserts that because Sunkara teaches a process for preparing polytrimethylene ether glycol polymer, which process can include the use of a heterogeneous catalysts such as silica, alumina or acid-treated clays, the present claims, which are directed to a process that includes contacting a PO3G polymer with an adsorbent, which adsorbent can be a silica, alumina or clay, are anticipated by Sunkara. Applicants respectfully disagree, since the present claims recite contacting of the polymer with an adsorbent after the polymer has been prepared. The Examiner’s attention is respectfully directed to page 7, lines 18-20, which states

that the polymer in liquid form is contacted with the adsorbent. Moreover, claims 1 and 22, as presently amended, recite that the contacting is carried out at a temperature from about 25 to about 100 °C, and, as the Examiner has stated, Sunkara does not disclose a process carried out within the recited temperature range. Accordingly, Applicants respectfully submit that claims 1 and 22, and all claims dependent therefrom, are novel in view of Sunkara.

Rejections Under 35 U.S.C. § 103(a)

Claims 1, 8-11, 13, 14, 29, 31, 33 and 34 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sunkara in view of Malloy et al., U.S. Patent No. 4,243,831 ("Malloy"). Specifically, the Examiner asserts that one having ordinary skill in the art at the time the invention was made would have found it obvious to utilize an activated carbon, as taught by Malloy, in the place of silica or alumina since, the Examiner asserts, activated carbon, silica and alumina are taught by Malloy to be equivalent adsorbents for removing color bodies. Applicants respectfully disagree with the Examiner's position. Applicants respectfully submit that the listing by Malloy of certain adsorbents for use in olefins does not constitute a statement that the listed adsorbents would be functionally equivalent to each other when used in an entirely different class of polymers such as PO3G. There is no teaching or suggestion anywhere in Malloy of the use of adsorbents, including silica, alumina, and activated carbon, in any material other than olefins. Applicants submit that a person of ordinary skill in the art would not expect to achieve the same results in treating PO3G that were obtained in olefins. Moreover, there is no motivation for a person of ordinary skill in the art to look to Malloy, which is directed solely to olefins, for guidance on removing color bodies from PO3G. Accordingly, Applicants respectfully submit that the present claims are not obvious over Sunkara in view of Malloy.

CONCLUSION

Applicants respectfully submit that all of claims 1-34 are presently allowable over the cited references. Accordingly, withdrawal of the rejections and prompt issuance of a Notice of Allowance are earnestly solicited. Should there be any issues remaining unresolved after the present Amendment, the Examiner is respectfully requested to telephone the undersigned, Applicants' representative.

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The Commissioner is authorized to charge any fees due, or credit any overpayment, to Deposit Account No. 04-1928 (E.I. du Pont de Nemours and Company).

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